

The Georgia State Board of Physical Therapy met on **May 24, 2005** at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting business.

Members Present:

- Sandra Eskew Capps, P.T., President
- Charlene D. Portee, P.T., Vice President
- Bernice B. Chaney, P.T.A.
- John L. Cowherd, Consumer Member
- Anthony F. Ellis, P.T.
- Lola Rosenbaum, P.T.

Others Present:

- Anita O. Martin, Executive Director
- Lea F. Williams, Applications Specialist/Board Secretary
- Reagan Dean, Assistant Attorney General
- Lori Wood, P.T.A.

President Eskew Capps established that a quorum was present, and called the Public Hearing to order at 9:10 A.M. No comments were received regarding the proposed rule amendments. The Public Hearing was adjourned at 9:13 A.M. and the Board meeting was called to order in **OPEN SESSION**.

490-2-.04, Training Permits.: Ms. Rosenbaum made a motion to **adopt** the amendments as proposed. Ms. Chaney seconded the motion and it was approved by the Board. (Attachment #1)

490-3-.02, Re-examination.: Ms. Portee motioned, Mr. Ellis seconded, and the Board voted to **adopt** the amendments as proposed. (Attachment #2)

March 15, 2005 Meeting Minutes: Ms. Rosenbaum motioned, Ms. Portee seconded, and the Board voted to **approve** the minutes as presented.

Roster of New Licensees: Mr. Ellis made a motion to **approve** the roster of the 42 newly licensed PT's, and the 16 newly licensed PTA's, issued March 8, 2005 through May 13, 2005. The motion was seconded by Mr. Cowherd and approved by the Board.

License #	Name	License Type	Issue Date
PT008316	Whitney, Joshua Thomas	Physical Therapist	3/8/2005 0:00
PT008317	Accardi, Rosario Anthony	Physical Therapist	3/8/2005 0:00
PT008318	Luke-Cambridge, Corlette	Physical Therapist	3/10/2005 0:00
PT008319	Mehta, Amy	Physical Therapist	3/11/2005 0:00
PT008320	Lindsay, Valerie Walker	Physical Therapist	3/11/2005 0:00
PT008321	Boulware, Tiffany Ann	Physical Therapist	3/16/2005 0:00
PT008322	Gold, Gerald D	Physical Therapist	3/17/2005 0:00

PT008323	Selover, Renee Tonazzi	Physical Therapist	3/17/2005 0:00
PT008324	Dale, Bradley James	Physical Therapist	3/17/2005 0:00
PT008325	Elton, Dorian R	Physical Therapist	3/18/2005 0:00
PT008326	Skogen Hartman, Lisa Marie	Physical Therapist	3/21/2005 0:00
PT008327	Reese, Kelly Joan	Physical Therapist	3/23/2005 0:00
PT008328	Sutton, Colin Michael	Physical Therapist	3/25/2005 0:00
PT008329	Hayenga, Irene A.	Physical Therapist	3/28/2005 0:00
PT008330	Stringfellow, Horace, V	Physical Therapist	3/29/2005 0:00
PT008332	Schmit, Ingrid Erika	Physical Therapist	3/30/2005 0:00
PT008333	Kuforiji, Abayomi Rasheed	Physical Therapist	4/1/2005 0:00
PT008334	Southwood, Amanda Kelly	Physical Therapist	4/4/2005 0:00
PT008335	Finnegan, Michelle Beth	Physical Therapist	4/4/2005 0:00
PT008336	Baccash, Laurie M	Physical Therapist	4/5/2005 0:00
PT008337	Prather, Adrian Nicholas	Physical Therapist	4/7/2005 0:00
PT008338	McKenna, Kathleen Mary	Physical Therapist	4/8/2005 0:00
PT008339	Fitzgibbon, Gerald Cowhey	Physical Therapist	4/8/2005 0:00
PT008340	Thomas, Matthew Roland	Physical Therapist	4/12/2005 0:00
PT008341	Coachman, Jamaca Rashad	Physical Therapist	4/14/2005 0:00
PT008342	Wilkinson, Amanda Lynn	Physical Therapist	4/18/2005 0:00
PT008343	Ohm, Charles Richard	Physical Therapist	4/18/2005 0:00
PT008344	Reed, Brandea Nicole	Physical Therapist	4/20/2005 0:00
PT008345	Mullen, Diane Marion	Physical Therapist	4/26/2005 0:00
PT008346	Faircloth, Amy H.	Physical Therapist	4/27/2005 0:00
PT008347	Killough, DeAnna Dawn	Physical Therapist	4/28/2005 0:00
PT008348	Petty, Eric Terek	Physical Therapist	4/28/2005 0:00
PT008349	Price, Kimberly Louise	Physical Therapist	4/28/2005 0:00
PT008350	Keshwani, Nilofer S	Physical Therapist	5/3/2005 0:00
PT008351	Swanner, Nicholas Brandon	Physical Therapist	5/5/2005 0:00
PT008352	Dinglasan, Filcon Bazdovino	Physical Therapist	5/5/2005 0:00
PT008353	Hurst, Glendora Lorraine	Physical Therapist	5/9/2005 0:00
PT008354	Bluhm, Susana Maria	Physical Therapist	5/9/2005 0:00
PT008355	Leake, Amy Carroll	Physical Therapist	5/9/2005 0:00
PT008356	Yates, Margaret Ann	Physical Therapist	5/9/2005 0:00
PT008357	Hume, David Michael	Physical Therapist	5/12/2005 0:00
PT008358	Ortiz, Martha Cecilia	Physical Therapist	5/13/2005 0:00
License #	Name	License Type	Issue Date
PTA002139	Lacy, Sir Anthony	P.T.A.	3/8/2005 0:00
PTA002140	Moody, Norma Elizabeth	P.T.A.	3/8/2005 0:00
PTA002141	Fullerton, James A	P.T.A.	3/9/2005 0:00
PTA002142	McLain, Donielle Suzanne	P.T.A.	3/17/2005 0:00
PTA002143	Jackson, Ginger DeAnn	P.T.A.	3/21/2005 0:00
PTA002144	Todd, Carol Davis	P.T.A.	4/8/2005 0:00
PTA002145	Hayzlett, Amanda Marie	P.T.A.	4/11/2005 0:00
PTA002146	McCutchen, LaChrista Shuntay	P.T.A.	4/13/2005 0:00
PTA002147	Hartwell, Ian R.	P.T.A.	4/18/2005 0:00
PTA002148	Monaco, Gayle L	P.T.A.	4/20/2005 0:00
PTA002149	Ellis, Rhonda S	P.T.A.	5/2/2005 0:00

PTA002150	Johnson, Frances Nicole	P.T.A.	5/4/2005 0:00
PTA002151	Watson, Harvey Lee, Jr	P.T.A.	5/5/2005 0:00
PTA002152	Simmons, Zachary LaShun	P.T.A.	5/9/2005 0:00
PTA002153	Adras, Hyrouance	P.T.A.	5/9/2005 0:00
PTA002154	DeKoker, Stacy Diane	P.T.A.	5/11/2005 0:00

Update to Board Policy #4: Ms. Rosenbaum motioned, Ms. Chaney seconded, and the Board voted to **approve** the policy as amended.

Draft copy of the newsletter and audit reporting form: Mr. Ellis motioned, Ms. Chaney seconded, and the Board voted to **approve** the newsletter and reporting form as amended.

SB 258 and draft amendment to Rule 490-4-.01, Renewal of License and Penalty: Ms. Portee motioned, Ms. Rosenbaum seconded, and the Board voted to **post** the amendment to Rule 490-4-.01. (Attachment #3)

The Board voted that the formulation and adoption of the rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of the rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Physical Therapy.

Letter from Ronald J. Henry of Georgia State University: Viewed as informational.

Letter from the Georgia Board of Chiropractic Examiners re.: SB 184: Viewed as informational.

FY2004 Budget Information: Ms. Rosenbaum motioned, Mr. Ellis seconded, and the Board voted to **reduce** the renewal fees as follows:

- PT's: Regular Renewal - \$65.00 (was \$75.00) Late Renewal - \$90.00 (was \$100.00)
- PTA's: Regular Renewal - \$40.00 (was \$60.00) Late Renewal - \$75.00 (was \$55.00)

Letter from Jeffrey Remsen, P.T. re.: CEU requirements: Ms. Portee motioned, Ms. Chaney seconded, and the Board voted to advise Mr. Remsen that the Continuing Competency Requirements Rule is currently under review.

Letter from E.Dargan Ervin, Jr., P.T., President of the FSBPT re.: cost of school reports: Viewed as informational.

E-mail from Jason Bracco: Ms. Chaney motioned, Mr. Ellis seconded, and the Board voted to **send** Mr. Bracco the “no legal advice” letter.

E-mail from Vivien Parker: Ms. Rosenbaum motioned, Mr. Cowherd seconded, and the Board voted to send Ms. Parker the “no legal advice” letter.

Request for waiver of 1000 hours of supervision submitted by S.B.: Ms. Portee motioned, Ms. Chaney seconded, and the Board voted to **deny** the request.

Continuing Competency Requirements: Ms. Eskew Capps made a motion to decrease the required amount of hours from 40 to 30. Ms. Chaney seconded the motion. Board members Portee, Rosenbaum and Ellis voted in opposition and Mr. Cowherd abstained from the vote. The motion did not pass.

Ms. Eskew Capps motioned, Ms. Rosenbaum seconded, and the Board voted to allow licensees who serve as Subject Matter Experts for the Jurisprudence Exam review to receive four (4) hours credit to satisfy the Ethics and Jurisprudence requirement.

Ms. Chaney motioned, Ms. Rosenbaum seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) and §43-1-19(h)(2) to deliberate on applications, disciplinary matters, and to receive information on enforcement, cognizant, and Attorney General reports. Voting in favor of the motion were those present who included Board members Eskew Capps, Cowherd, Ellis and Portee. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

Executive Director’s Report: Anita O. Martin

- Presented the signed Private Consent Order for R.H. *Ms. Rosenbaum voted, Ms. Portee seconded, and the Board voted to accept the signed consent order.*

PTA Exam Application submitted by E.T.C.: Ms. Portee motioned, Mr. Ellis seconded, and the Board voted to **refer** the file to the Board’s attorney for an Order for a Mental and Physical Evaluation.

Information submitted by Dr. William R. Almon, M.D. re.: PT Endorsement Applicant W.C.C.: Mr. Ellis motioned, Ms. Rosenbaum seconded, and the Board voted to **deny** the application, and refer the case to Enforcement for a Cease & Desist Order.

Peer Review results re.: Case #15-01-01-005: Ms. Rosenbaum motioned, Ms. Chaney seconded, and the Board voted to **refer** the file to the Board’s attorney for a Voluntary Surrender Order; if respondent does not sign the Voluntary Surrender Order within 30 days of receipt, file a Notice of Hearing seeking Revocation.

Cognizant Report: Anthony Ellis

- **Case # 05-035:** Per the cognizant's recommendation based on the Investigative Interview held at 1:00 P.M., Ms. Chaney motioned, Ms. Portee seconded, and the Board voted to **refer** the case to the Board's Attorney for a Public Consent Order, to include 3 years probation, employer quarterly reports, and must take and pass the Jurisprudence Exam within one year of docket date of the order. The Board also voted to send a letter of inquiry to the PT program director regarding the issues.
- **Case #04-033:** Per the cognizant's recommendation based on the Investigative Interview held at 1:45 P.M., and information provided by Ms. Harvey of the Enforcement section, Ms. Rosenbaum motioned, Mr. Cowherd seconded, and the Board voted to **contact** the department that submitted the complaint and request more information. If unable to obtain the needed information, the Board will have to close the case due to insufficient evidence.
- **Case #05-047:** Per the cognizant's recommendation based on the Investigative Interview held at 2:30 P.M., Ms. Portee motioned, Ms. Chaney seconded, and the Board voted to refer the case to Enforcement to run a G.C.I.C. and close the case if positive results are received. If negative results are received, bring back to the Board.

Enforcement Report: Kathy Harvey:

- **Case #02-026:** Ms. Rosenbaum motioned, Ms. Chaney seconded, and the Board voted to **close** the case.
- **Case #02-027:** Ms. Chaney motioned, Mr. Cowherd seconded, and the Board voted to **close** the case.
- **Case #03-008:** Mr. Ellis motioned, Ms. Portee seconded, and the Board voted to **close** the case.
- **Case #03-019:** Ms. Rosenbaum motioned, Ms. Portee seconded, and the Board voted to **close** the case and refer to the Athletic Trainers Board.
- **Case #03-045:** Cognizant member needs to review the files. Tabled.
- **Case #04-004:** Ms. Chaney motioned, Ms. Rosenbaum seconded, and the Board voted to **close** the case with the Cease & Desist Order signed by Patricia LaSalata.
- **Case #04-005:** Mr. Ellis motioned, Ms. Portee seconded, and the Board voted to **close** the case.
- **Case #04-006:** Ms. Rosenbaum motioned, Mr. Cowherd seconded, and the Board voted to **close** the case.

- **Case #04-010:** Ms. Portee motioned, Ms. Chaney seconded, and the Board voted to **close** the case.
- **Case #04-011:** Mr. Ellis motioned, Ms. Portee seconded, and the Board voted to **refer** the case to the Board's Attorney for Public Consent Orders citing unlicensed practice with 3 years probation and employer quarterly reports; \$300.00 fine for the P.T.A. and a \$500.00 fine for the P.T. Also, pursue a Public Consent Order for the supervisor, citing aiding and abetting unlicensed practice, with 3 years probation, employer quarterly reports, must take and pass the Jurisprudence Exam within one year of docket date, and a \$1000.00 fine.
- **Case #05-044:** Ms. Rosenbaum motioned, Ms. Chaney seconded, and the Board voted to **close** the case with a letter of concern and **refer** to the Chiropractic Board.
- **Case #05-045:** Ms. Portee motioned, Mr. Cowherd seconded, and the Board voted to **refer** the case back to Enforcement to issue a Cease & Desist Order.

OTHER BUSINESS:

- **FSBPT Annual Meeting:** The Board voted Ms. Portee as the delegate for the annual meeting, and Ms. Eskew Capps as the alternate delegate.
- The Board voted to send a request to the Board's Attorney to review the December 2000 memorandum from Aaron Mason regarding physician's practice of physical therapy, and research any changes since the memorandum was issued.
- The Board tabled the Wellness and Prevention rule.
- The Continuing Competency Committee will meet via conference call prior to the next meeting. The composition of the committee was changed, removing Ms. Portee and adding Ms. Rosenbaum.

There being no further business to come before the Board, the meeting was adjourned at 3:55 P.M. on May 24, 2005.

Minutes prepared by: Lea Williams, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

Sandra Eskew Capps, P.T.
Board President

Mollie L. Fleeman
Division Director

490-2-.04 Training Permits. Effective June 15, 2005

(1) A training permit may be issued pursuant to O.C.G.A. §§ 43-33-10 and 43-33-17 of the Georgia Physical Therapy Act to a qualified applicant following Board-approval of a properly submitted application.

(a) Qualified applicants are:

1. individuals who have not failed the licensing examination in this or any other jurisdiction; and
2. unlicensed graduates of entry-level programs for physical therapists or physical therapy assistants from a CAPTE-accredited school; or
3. foreign-educated physical therapists who are deemed eligible by the Board to take the licensing examination; or
4. applicants for reinstatement, who have been unlicensed in this jurisdiction and have not practiced for two (2) or more years; or
5. applicants for reinstatement who have been unlicensed in this jurisdiction for five (5) or more years and who have been approved to take the licensing examination within 30 days of satisfactory completion of this traineeship; and
6. able to initiate a traineeship program in the State of Georgia within three months of issuance of such permit.

(b) Initial Applications and Reinstatement Applications

1. A notarized training permit application form must be submitted by the trainee's supervisor specifying:
 - (i) the name and license number of the trainee supervisor who will be responsible for the conduct of the traineeship as defined under section (f) of this rule; and
 - (ii) the name, address, phone, fax number and email address of all sites where the trainee and supervisor may be working during the course of the traineeship; and
 - (iii) the effective dates of the traineeship; and
 - (iv) acceptance of responsibility for trainee supervision and completion of the performance evaluation; and
 - (v) termination of the traineeship as defined herein; and
 - (vi) type of facility.

(c) Renewal

1. A training permit may be renewed one time, for no more than six (6) months, upon written request and with approval of the Board, and only for one good and exceptional reason as determined by the Board. Failure to pass the licensing examination is not considered a good and exceptional reason. For purposes of this rule, good and exceptional reasons include but are not limited to:

- (i) Death of an immediate family member; or
- (ii) Illness or incapacitation of the applicant or immediate family member (a physician's statement is required); or
- (iii) Jury duty (proof required).

(d) Validity of Permit.

1. The validity of any training permit is subject to the following conditions:

- (i) A training permit will not be issued, reissued or renewed for any applicant who has failed the licensing examination in this or any other jurisdiction until the licensing examination has been successfully passed.

- (ii) An approved training permit which is not used must be returned to the Board by the trainee with a brief explanation of why it was not used.
- (iii) A training permit may be valid for any time period approved by the Board not to exceed six (6) months, unless the training permit becomes invalid as provided in this rule.
- (iv) A training permit shall become invalid and must be returned to the Board office by the trainee immediately:
 - (I) On the date the applicant is notified by letter that he/she has failed the examination; or
 - (II) Any time the applicant does not exhibit performance satisfactory to the supervisor.
- (e) Traineeship Permit Time Requirement
 - 1. The training permit of an unlicensed graduate of entry-level programs for physical therapist and physical therapist assistant, whether from a CAPTE or non CAPTE-accredited school, must successfully complete a minimum of 480 hours within a three (3) month period. At the end of the traineeship period and upon receipt of a final performance evaluation, the applicant will be approved to sit for the licensing examination.
- (f) Supervision
 - 1. The supervisor named on the training permit application holds full responsibility for direct, continuous, on-site supervision of the trainee at all times. The supervisor must assure that the trainee does not perform any patient care activities in his/her absence.
 - 2. If the supervisor cannot continue for any reason, the traineeship must be terminated and practice must cease. The training permit must be returned to the Board and a new application submitted.
 - 3. The supervisor must be a licensed physical therapist in good standing under T. 43, Chapter 33, who has practiced full time for not less than one continuous year.
 - 4. If any supervisor has not practiced in this state for one continuous year, information about licensure and employment in another state must be provided.
 - 5. The supervisor must evaluate trainee performance on an ongoing basis in the following areas:
 - (i) evaluation skills;
 - (ii) treatment skills;
 - (iii) documentation;
 - (iv) written, oral and non-verbal communication skills;
 - (v) compliance with safety requirements, ethical and legal standards and professional behavior at all times;
 - (vi) compliance with the rules and laws in the State of Georgia governing the practice of physical therapy; and
 - (vii) ability to be a contributing member of the health care system.
 - 6. The supervisor must notify the Board of any unsatisfactory performance.
 - 7. The supervising therapist(s) will supervise no more than two (2) trainees during any one time period.
 - 8. The supervisor must submit a performance evaluation at the end of the traineeship period.

O.C.G.A. §§ 43-33-24, 43-1-25, 43-33-10, and 43-33-17.

490-3-.02 Re-examination. Amended.

- (1) An applicant who fails the examination on the first attempt may submit a re-examination application to the Board to be made eligible to test a second time.
- (2) An applicant who fails the examination on the second attempt must submit the following before being made eligible to test a third time:
 - (a) A copy of his/her “Examination Performance Feedback Report” obtained from the Federation of State Boards of Physical Therapy (FSBPT), and pay all costs associated with acquiring the report.
 - (b) A remediation plan addressing each area of weakness/failure. Examination preparation courses will be considered provided that such course addresses the area(s) of weakness/failure. The remediation plan must be developed in consultation with an appropriately licensed physical therapist or physical therapy assistant, or by a faculty member of a CAPTE-accredited program.
 - (c) Proof of satisfactory completion of such remediation plan.
 1. An applicant may be approved administratively to take the examination a third time after the above outlined procedure has been completed and approved.
- (3) An applicant who fails the examination three (3) or more times must submit a remediation plan as outlined above in 490-3-.02(2)(a) and (b). The remediation plan must be approved by the Board prior to the applicant’s beginning or initiating the plan. An applicant may be approved to take the examination only after proof of satisfactory completion of the approved plan has been submitted.

O.C.G.A. §§ 43-1-7, 43-1-19, 43-1-24, 43-1-25, 43-33-12, 43-33-13, and 43-33-18.

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULES CHAPTER
490-4, RULE 490-4.01., RENEWAL OF LICENSE AND PENALTIES. AMENDED.,
AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Physical Therapy (hereinafter "Board") proposes amendments to the Georgia State Board of Physical Therapy Rules, Chapter 490-4, Rule 490-4.01 Renewal of License and Penalties., Amended to be re-named Renewal and Reinstatement of License and Penalties., Amended.

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Physical Therapy web page at <http://www.sos.state.ga.us/plb/pt>. Copies may also be requested by contacting the Georgia State Board of Physical Therapy office at 478-207-1686.

A public hearing is scheduled to be held at 9:00 a.m. on August 16, 2005 in the Office of the Secretary of State, Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing.

Written comments are welcomed. To ensure their consideration, written comments must be received on or before August 9, 2005. Written comments should be addressed to Mollie L. Fleeman, Division Director, Professional Licensing Boards Division, Georgia State Board of Physical Therapy, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1699.

The proposed rule amendments will be considered for adoption by the Georgia State Board of Physical Therapy at its meeting scheduled to begin at 9:05 a.m. on August 16, 2005 in the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. The proposed rule amendments are proposed for adoption pursuant to authority contained in The Georgia State Board Of Physical Therapy Act O.C.G.A. §§ _____.

At its meeting on May 24 2005, the Georgia State Board of Physical Therapy voted that the formulation and adoption of these rules do not impose regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ _____

Additionally, at these meetings the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ _____ to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Physical Therapy.

For further information, contact the Board office at 478-207-1686.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This ____ day of _____, 2005

Mollie L. Fleeman
Division Director

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR
490-4-.01, RENEWAL AND REINSTATEMENT OF LICENSE AND PENALTIES.,
AMENDED.**

Purpose: The purpose of the proposed rule amendment is to re-name the rule, allow for the renewal requirements under O.C.G.A. 43-1-31 and re-order the text of the rule.

Main Feature: The main feature of the proposed rule amendment is to re-name the rule, allow for the renewal requirements under O.C.G.A. 43-1-31 and re-order the text of the rule.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENT TO THE GEORGIA STATE BOARD OF PHYSICAL
THERAPY RULE 490-4-.01, RENEWAL AND REINSTATEMENT OF LICENSE
AND PENALTIES., AMENDED.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

490-4-.01 Renewal and Reinstatement of License and Penalties., Amended.

(1) Every licensed physical therapist and physical therapist assistant shall biennially apply to the Board for renewal of his/her license, submit proof of continuing competency requirements and pay a renewal fee by October 31st of odd years. Refer to fee schedule and 490-4-.02.

(2) A license that is not renewed on or before October 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.

(3) A license that is not renewed on or before December 31st of the renewal year shall lapse and be of no force and effect and shall by operation of the law be ~~revoked~~lapsed.

(4) ~~A physical therapist or physical therapist assistant who has been previously licensed in this State who has allowed his/her license to become revoked due to failure to renew,~~ shall be required to submit an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:

~~(a) An applicant who is able to document that he/she has practiced as a physical therapist~~

~~or physical therapist assistant within 2 years shall be required to submit proof of continuing competence requirements as established by the Board;~~

~~(b) An applicant, who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years but able to document such practice~~

~~within 5 years, shall be required to submit proof of continuing competence (Refer to 490-4-.02), and shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months with specific stipulations as deemed necessary by the Board; or~~

~~(c) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 5 years shall be required to work under the~~

~~supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months with specific stipulations as deemed necessary by the Board and shall be required to take and pass the next licensing examination. Any applicant exempted from the requirement of taking the examination pursuant to Rule 490-4-.01(6) shall be required to submit proof of continuing competence unless such person holds a current license in good standing in another state or such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.~~

Any service member as defined in O.C.G.A. § 15-12-1 whose license to practice as physical therapy or as a physical therapist assistant expired while serving on active duty outside the state shall be permitted to practice physical therapy or as a physical therapist assistant in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service members commanding officer to waive any charges.

~~(5) Applicants subject to Rule 490-4-.01(4)(a) may in the discretion of the Board be exempted from continuing competence requirements if such person holds a current license in good standing in another state or if such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such~~

~~person provides physical therapy services under the direction or control of the employing organization.—A physical therapist or physical therapist assistant who has been previously licensed in this State who has allowed his/her license to become lapsed due to failure to renew, shall be required to submit an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:~~

(a) An applicant who is able to document that he/she has practiced as a physical therapist

or physical therapist assistant within 2 years shall be required to submit proof of continuing competence requirements as established by the Board;

(b) An applicant, who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years but able to document such practice

within 5 years, shall be required to submit proof of continuing competence (Refer to 490-4-.02), and shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months with specific stipulations as deemed necessary by the Board; or

(c) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 5 years shall be required to work under the

supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months

with specific stipulations as deemed necessary by the Board and shall be required to take and pass the next licensing examination. Any applicant exempted from the requirement of taking the examination pursuant to Rule 490-4-.01(6) shall be required to submit proof of continuing competence unless such person holds a current license in good standing in another state or such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.

(6) Applicants subject to Rule 490-4-.01(5)(a) may in the discretion of the Board be exempted from continuing competence requirements if such person holds a current license in good standing in another state or if such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.

Authority O.C.G.A. Secs.